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Attorneys for Defendants
LG Display Co., Ltd. and LG Display America, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE: TFT-LCD (FLAT PANEL)
ANTITRUST LITIGATION

CASE NO. 3:11-cv-00711 SI

Case No. M 07-md-01827 SI

MDL No. 1827

This Document Relates to Individual Case
No. 11-cv-00711 SI:

STATE OF NEW YORK,

Plaintiff,

v.

AU OPTRONICS CORPORATION, et al.,

Defendants.

**STIPULATION REGARDING EFFECT OF
COURT'S PRIOR RULINGS ON NEW
YORK'S SECOND AMENDED
COMPLAINT AND EXTENSION OF TIME
FOR DEFENDANTS TO RESPOND TO
NEW YORK'S SECOND AMENDED
COMPLAINT AND [~~PROPOSED~~] ORDER**

Judge: Honorable Susan Y. Illston

1 Plaintiff State of New York and Defendants party to the above-captioned action
2 (collectively, "Parties") hereby stipulate as follows:

3 **STIPULATION**

4 WHEREAS the Court previously entered its Order Granting in Part and Denying in Part
5 Defendants' Motion to Dismiss on August 9, 2011 (Master Docket No. 3242) ("MTD Order"),
6 which Motion was directed to New York's First Amended Complaint;

7 WHEREAS the Court has also previously entered its Order Granting New York's Motion
8 for Leave to File Motion for Reconsideration and Granting in Part Reconsideration on
9 November 15, 2011 (Master Docket No. 4144) ("Reconsideration Order");

10 WHEREAS New York reserves its rights, including its right of appeal, with respect to
11 those claims or branches of claims dismissed by the MTD Order;

12 WHEREAS New York subsequently filed its Second Amended Complaint (Master
13 Docket No. 4763) ("the Second Amended Complaint") on February 3, 2012;

14 WHEREAS, the sole amendment which New York made to its complaint concerned its
15 basis for asserting claims on behalf of certain non-State public entities pursuant to Section 342-b
16 of the New York General Business Law, and in all other respects New York's complaint is
17 unaltered;

18 WHEREAS, the parties wish to clarify that the Court's prior rulings in its MTD Order
19 apply to New York's Second Amended Complaint, and to extend defendants' time to file answers
20 to it;

21 WHEREAS the Parties have conferred regarding the Second Amended Complaint;

22 NOW, THEREFORE, the Parties, through their undersigned respective counsel, stipulate
23 and request that the Court order as follows:

24 1. That the defendants have until March 16, 2012 to file their answers to the Second
25 Amended Complaint;

26 2. That the Court's prior orders, Master Docket No. 3242 and Master Docket No. 4144,
27 apply to the Second Amended Complaint, and specifically,
28

(a) That, by its MTD Order, the Court dismissed New York's Donnelly Act *parens patriae* damages claims, and adhered to that holding in the Reconsideration Order;

(b) That New York, in its opposition to Defendants' May 5, 2011 Motion to Dismiss, withdrew its pre-December 23, 1998 Donnelly Act indirect purchaser claims;

(c) That, by its MTD Order, the Court dismissed those New York assigned claims concerning master purchase agreements without a New York choice-of-law provision.

DATED: March 7, 2012

HOLLY A. HOUSE
KEVIN C. McCANN
LEE F. BERGER
PAUL HASTINGS LLP

By: /s/ Lee F. Berger
Lee F. Berger

Attorneys for Defendants
LG Display Co., Ltd. and LG Display America, Inc.

With the approval of counsel for AU Optronics Corporation; AU Optronics Corporation America; Toshiba Corporation; Toshiba Mobile Display Co., Ltd.; Toshiba America Electronic Components, Inc.; Toshiba America Information Systems, Inc.

DATED: March 7, 2012

ERIC T. SCHNEIDERMAN
Attorney General of the State of New York

By: /s/ Amy McFarlane
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*Automatic Pro Hac Vice Admission Pursuant to Pretrial Order No. 1, Dated July 3, 2007 (Waiving Civil L.R. 11-3)

Attestation: The filer of this document attests that the concurrence of the other signatories thereto has been obtained.

[PROPOSED] ORDER

IT IS SO ORDERED.

DATED: 3/8, 2012



Hon. Susan Illston
United States District Judge

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